

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

William F. Allen, Jr.,	:	
	:	
Petitioner(s),	:	
	:	Case Number: 1:13cv19
vs.	:	
	:	Chief Judge Susan J. Dlott
State of Ohio,	:	
	:	
Respondent(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge filed on July 31, 2013 (Doc. 10), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired August 19, 2013, hereby ADOPTS said Report and Recommendation.

Accordingly, respondent's motion to dismiss the petition on exhaustion grounds is **DENIED** (Doc. 7). In the event the Hamilton County Common Pleas Court should rule on petitioner's state post conviction during the pendency of this action, the request to dismiss or stay the instant action on exhaustion grounds may be renewed at that time.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court